

# Boston Morning Post.

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MONDAY MORNING, APRIL 4, 1836.

PRICE \$6 PER ANN. IN ADVANCE.

## DEMOCRATIC NOMINATIONS.

FOR PRESIDENT,

**MARTIN VAN BUREN.**

FOR VICE PRESIDENT,

**RICHARD M. JOHNSON.**

FOR ELECTORS AT LARGE

HON. NATHAN WILLIS, of Pittsfield.

HON. SETH WHITMARSH, of Sekonk.

FOR DISTRICT.

No 1, CALEB EDDY, of Boston.

2, ROBERT RANTOUL, of Beverly.

3, JOSEPH KITTREDGE, of Andover.

4, FRANCIS TUTTLE, of Acton.

5, SAMUEL TAYLOR, of Sutton.

6, SAMUEL C. ALLEN, of Northfield.

7, JOSEPH FITCH, of New Marlborough.

8, HARVEY CHAPIN, of Springfield.

9, BENJAMIN P. WILLIAMS, of Roxbury.

10, NATHAN C. BROWNELL, of Westport.

11, THOMAS MANDELL, of New Bedford.

12, JABEZ P. THOMPSON, of Halifax.

## EXPURGATION OF THE JOURNAL.

### SPEECH OF MR. BENTON,

OF MISSOURI.

(CONTINUED.)

III. I pass on to the third proposition which affirms the vagueness and ambiguity of the resolve as adopted, and presents some of the evils resulting from such an indefinite mode of condemnation. It is in these words:

"And whereas the said resolve, as adopted, was uncertain and ambiguous, containing nothing but a loose and floating charge for derogating from the laws and constitution, and assuming ungranted power and authority in the late Executive proceedings in relation to the public revenue, without specifying in what part of the Executive proceedings, or what part of the public revenue was intended to be referred to, or what parts of the laws and constitution were supposed to have been infringed, or in what part of the Union, or at what period of his administration, these late proceedings were supposed to have taken place: thereby putting each Senator at liberty to vote in favor of the resolve upon a separate and secret reason of his own, and leaving the ground of the Senate's judgment to be guessed at by the public, and to be differently and diversely interpreted by individual Senators according to the private and particular understanding of each: contrary to all the ends of justice, and to all the forms of legal and judicial proceeding—to the great prejudice of the accused, who could not know against what to defend himself; and to the loss of Senatorial responsibility, by shielding Senators from public accountability, for making up a judgment upon grounds which the public cannot know, and which, if known, might prove to be insufficient in law, or unfounded in fact."

When he had read this proposition, Mr B. said, is this a true description of the Senate's judgment? Can it be possible that this elevated body, intended by the constitution to be the gravest assembly on earth, could have so far sported with its own responsibility, and with the rights of an accused person, as to deliver a sentence of condemnation so void of form as this description announces? The question is a grave one, and the answer should be the best which the nature of the case can possibly admit of. Inspection is the best answer which the case admits of. It is a case for the inspection of the record—for trying the record by itself. Here it is; read, listen and judge.

"Resolved, That the President, in the late executive proceedings in relation to the revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both."

Vague! vague! vague! uncertain, ambiguous, deceptive! amphibological; and the highest illustration of that Cynic's sarcasm, who defined language to be an art conferred upon man to enable his tongue to conceal his thoughts. Surely the very thing is concealed here which is the only thing that ought to be known, namely, the specific act which constitutes the violation of law and constitution intended to be fastened on the President.

I do not dilate upon the use and necessity of precise allegation in criminal accusation. The time, the place, and the act, are the essence of the charge, and can never be dispensed with. The instinct of justice in every human bosom, recognizes this; the forms of criminal proceeding in all countries of law and order, prescribe it; and the mover of this condemnation admitted it, by his repeated attempts to give specifications, and by his tardy abandonment of that attempt at the last moment, at the end of one hundred days' debate, when the sentence of condemnation could no longer be delayed, without losing the benefit of it at the impending elections, and when it was indisputably known that no majority, not even the *party* majority which then prevailed in this chamber, could be brought to unite in any act of illegal conduct which the genius of the mover could impute to the President. I will not dilate upon this plain point, but I will produce an example from our own history to show with what precise allegation of time, place, and act, violations of law were charged upon executive officers in the earlier age of our republic.

I read from the journals of the House of Representatives in 1793. They are the resolutions submitted by Mr Giles, of Virginia, for the purpose of impeaching the Secretary of the Treasury, General Hamilton, and are in these words:

"Resolved, That the Secretary of the Treasury has violated the law passed the 4th of August, 1790, making appropriation of certain moneys authorized to be borrowed by the same law, in the following particulars, to wit:

"1. By applying a certain portion of the principal borrowed to the payment of interest falling due upon the principal, which was not authorized by that or any other law."

"2. By drawing a part of the same moneys into the United States, without the instructions of the President of the United States."

Here all is open, mainly and intelligible. Mr Giles tells what he means, and commits himself upon the issue. General Hamilton knows what he is charged with; the House knows what to proceed upon; and the public knows for what to hold the accused to his defence, the accuser to his proofs, the House to its justice, and all the parties to their official accountability to their constituents. Compare this resolve against President Jackson, with the resolve of Mr. Giles, and see how different in the essential particulars of criminal accusation. The general charge is the same in both cases, that of violating law, and acting without authority; yet the resolves are totally different; one, all precision, the other, all ambiguity. In one, every word a declaration of fact or law, on which precise issues might be taken; in the other, every word a problem, and susceptible of many meanings as there were tongues to debate it. Like the oracular responses of the Pythian Apollo, they seemed to be selected for their amphibology, and be-

cause any meaning and every meaning which might be required or forbid, might be affirmed or denied under them. Try them by their sense and import. "Late Executive proceedings." Here are three words, and three ambiguities. 1. "Late." How late? one year, two years, five or ten years ago? 2. "Executive." What part of the executive? the Chief Magistrate, or one of the heads of departments? 3. "The public revenue." What part of it? That in the Bank of the United States, or in the deposite banks, or in a state of collection in South Carolina? I defy any man to affix any definite idea to either of these terms, or to take any issue upon them. All is uncertain, ambiguous, problematical; nothing is clear but the abandonment of all that related to Mr Duane, Mr Taney, the removal of the depositories, the responsibility of removing them, the danger to the liberties of the people, and the complete cutting loose from all connexion with the Bank of the United States, whose wrongs had solely occupied the two previous forms of the resolution, and had figured so incontinently in all the speeches of all its friends. All this is abandoned; all mention of the Bank is dropped. Instead of it, the vague charge is substituted, which has been so often pointed out to the notice of the Senate; and under this general denunciation, a general verdict was procured by a new species of individual contribution, something like a subscription list, or poney purse of accusation, in which each one put in according to his will and his means.

Mr B. said, he had adduced this instance of criminal accusation, this charge against General Hamilton, for the purpose of showing that precise allegations were indispensable in such cases; but it was also available and eminently applicable for another purpose; for the purpose of showing that corrupt, wicked, or improper motives were not necessary to be alleged in proceeding against an officer for an impeachable offence. The design of Mr Giles, was to impeach General Hamilton; and for that purpose, he charged him with a naked violation of law, without the slightest imputation of an improper motive, and without the smallest allegation of injury to the public. It is a case in point; and added to the cases of the judges Chase and Pickering, is conclusive to show, that even where a regular and formal impeachment is intended, no averment, under our constitution, of criminal motives, or public detriment, need be alleged.

Mr President, the public, and even the Senate, have heard much of late years, of a certain doctrine in politics, called non-committal, and it has generally been presented in a very unenviable and undesirable point of view. Some have even gone so far as to say, that they scorned the character of an uncommitted man; and a certain gentleman that you and I wot of, has been conspicuously paraded in speeches and gazettes, as the founder of the non-committal school, and the original of the portrait which has been drawn of an uncommitted man. Of the justice, the propriety, the truth, and the decency, of what has been said and published of that gentleman, on that point, it is not my purpose, in this place, to make a question, nor would it, I presume, be your pleasure to decide. I pretermitted that labor; and proceeding upon the assumption of his opponents, that the aforesaid gentleman was actually the founder of the non-committal school, I have to remark, that it seems to me, that like other great inventors, he is in danger of being robbed of the glory of his discovery by the improvements which are made by others upon his invention. So far as I understand the institutes of the original school, the right of non-committal extended no further than to problems in politics; it did not embrace cases of law and morality, nor extend to the conduct of judges and Senators! But who can stop the march of improvement? Who can limit the genius of the scholar? Who can baffle the art of the cunning imitator? Already the doctrine of non-committal has made its way to the judgment seat,—to this chamber,—and to this very case. The Senate refuses to commit itself upon the question, of what it is, that they have condemned President Jackson for! They not only refuse to commit themselves for the grounds of their judgment, but they revoke the committal which they had partly made. They withdraw every thing upon which they could be held to their accountability. They haul in, back out, cut loose, and run away, from their own attempt to specify the guilt of President Jackson; and then condemn him in a general verdict, made up by compromise, and unable to bear the test of any one specification whatever. Yes, sir! made up by compromise! for whom of us, that were then in this chamber, that does not remember the extraordinary circumstances of the closing scene? the peripetic movements which took place among members? the crossing to and fro on this floor? the consultations and the whisperings? the fixing and altering, the writing and rubbing out, the offering and withdrawing, the tearing up and beginning anew, which went on in this chamber, to the delay of the call for the yeas and nays, until a set of phrases were collected, by contribution from different parts of this floor, sufficiently non-committal to embrace all who were willing to condemn the President, without being able to tell for what! I speak as an eye witness, when I describe the closing scene in these terms; and I appeal to forty Senators then, and now present, to affirm my statement. And what say the laws of the land to the verdicts obtained by compromise? Utterly reprobated; the jury reprimanded, who gives them; their verdict set aside, and a new trial ordered.

Sir, said Mr B., examine this sentence of condemnation as it stands. Examine it word by word, and see if it is located to any one place, limited to any time, or confined to any one act? Will it not cover the "late" Executive proceedings relative to the revenue in South Carolina, as well as the "late" Executive proceedings relative to the depositories in Philadelphia? Will it not cover the orders to Commodore Elliott to proceed to Charleston, just as well as it will cover the order to Mr Duane to quit the cabinet?—Would it not cover the removal of troops to the south, to ensure the collection of revenue, just as well as it would cover the removal of the depositories from the Bank to prevent the mischiefs of their remaining there?—Were not the two measures equally complained of at Charleston and Philadelphia? and is it not notorious that when distinguished sons of South Carolina, immediately after the condemnation of the President, denounced the lawless tyranny of his conduct in public speeches in Philadelphia, meaning all the while his conduct in relation to the revenue in South Carolina, that the friends of the Bank, who had previously applauded the President for that conduct, clapped and shouted, and hung their caps into the air, in a delirium of exultation, under the delusion that all this denunciation found its *inuenient o* in the wrongs of the Bank, and not in the wrongs of South Carolina. Certain it is, that the criminat resolve which, in its first and second form was all Bank, in its third form, cut loose from the Bank entirely! that Mr Duane, Mr Taney, the responsibility, the depositories, the mother Bank and its branches, which figured exclusively in the first and second forms, were all expunged in the third form! and not one word retained, which could commit the supporters of the resolve to the name, to the cause, or to the complaints of the Bank!

I have described the scene, faintly described it, as it took place in this Senate, in the face of all then present, and while the call for the yeas and nays was delayed to give time for making up the phraseology of the resolution. It now becomes my duty to explain the reason why it came to pass that this business of fixing the non-committal phrases of the resolve was postponed to the last moment, and then had to be transacted by consultations and whisperings in the Senate. The reason, sir, was this: at the commencement of the session of 1833, '34, the Bank of the United and the Senate of the United States appear to have commenced an attack upon the people, the property, and the Government of the United States. The Bank created a pressure, the Senate excited a panic; and the spring elections in New York and Virginia were the first and principal objects of both. The Bank sent out her orders to call in debts, and break up exchanges; the Senate brought in its resolution to condemn President Jackson for a violation of the laws and constitution; and under the combined action of this double process, the price of all property was sunk, and the public mind agitated and alarmed, until a fictitious panic was produced. The operation was kept up, the Bank screwing tighter and tighter, and the alarm guns firing, and the tocsin ringing faster and louder in the Senate, until the pressure had reached its lowest point of depression, and the panic its highest point of culmination, and the important elections of New York and Virginia, were just at hand, and every thing was ripe for the final blow. The condemnation of the President before those elections, and at the moment of their commencement, was this final blow, and the exact moment for striking it had arrived on Friday, the 28th day of March. That was the day, for it was the last day it could be done in time to have its effect. Monday was the first day of April; and the great elections were to begin; it was therefore indispensable that the news of the condemnation of the President should leave Washington a few days before the first of April, in order to reach in time the more remote election grounds in the great States of New York and Virginia, and to have its effect upon those elections. This is the reason why the debate on the condemnatory resolution was delayed, protracted, prolonged, and spun out from the 26th of December to the 28th of March, and then passed in the hurry and precipitation which produced that scene of consultation and of whispering, of running to and fro, of putting in and striking out, of offering and withdrawing, which was then witnessed in the Senate, and which ended in the engendering of that unrivaled specimen, that *ne plus ultra* production, *chef d'œuvre*, and everlasting masterpiece of the non-committal policy, which now stands upon your journal as a judgment of condemnation against President Jackson!

Mr B. said he was an enemy to monopolies, and must express his dissatisfaction to them, in whatsoever shape they were presented to his view. Here was a monopoly, a new and strange monopoly; it was a monopoly of non-committal and irresponsibility, and that by friends present to the prejudice of their friends absent. The Kentucky legislative resolve, all the State legislative resolves, all the resolves of all the public meetings, and all the petitions of the 120,000 petitioners sent to the Senate, were direct and specific in their charges against the President; and they all charged in direct terms the violation of the laws and constitution, and all grounded their charges upon the dismissal of Mr Duane, and the appointment of Mr Taney, the assumption of the responsibility, the removal of the depositories, and the danger to the liberties of the people. They all specified these acts, and therefore fully committed themselves, and now stand committed upon them. So did their friends and leaders on this floor. All were even at the start. All were in the same predicament up to the memorable 28th day of March, 1834. Up to that day all were together in the *Caudine Forks*, but now the leaders and their followers are divided. The leaders extricated themselves; they uncommitted themselves they cut loose from the Bank and all its griefs and complaints. They dropped every thing which could connect them, upon the record, with the Bank and its cause; encased themselves in the mystification of amphibological phrases; and now stand untrammeled, unpledged, united, uncommitted and non-committed upon a single allegation of law or fact on which responsibility can be incurred, or an issue can be taken. This is wrong. The leaders should never desert their followers; they should never leave their deluded associates in the lurch. The military man shares the fate of his soldiers; he saves them, or dies with them! The politician should do the same. No monopoly of escape is allowed to one more than to the other. Here is a case for sympathy and relief,—for interposition and help. The followers should be allowed to escape with the leaders; they should be allowed to cut loose from the Bank; they should be permitted to uncommit themselves! and for that purpose should have leave to withdraw and amend! to amend, by striking out every thing that relates to the depositories, the Secretaries, the liberties of the people, the responsibility, &c., and float at large upon the undefinable and intangible denunciation of "THE LATE EXECUTIVE PROCEEDINGS IN RELATION TO THE REVENUE!"

IV. My fourth proposition applies to the doctrine of legal implications, and affirms that what has been withdrawn upon objection, cannot afterwards be understood, by implication, to remain a part of the record. The proposition, for its better understanding, will be read. It is in these words:—

"Ad whereas the specifications contained in the first and second forms of the resolve, having been objected to in debate, and shown to be insufficient to sustain the charges they were adduced to support, and it being well believed that no majority could be obtained to vote for the said specifications, and the same having been actually withdrawn by the mover in the face of the whole Senate, in consequence of such objection and belief, and before any vote taken thereupon, the said specifications could not afterwards be admitted by any rule of parliamentary practice, or by any principle of legal implication, secret intent, or mental reservation, to remain and continue a part of the written and public resolve from which they were thus withdrawn; and if they could be so admitted, they would not be sufficient to sustain the charges therein contained."

The proposition contains three points: 1. An affirmation: 2. A rule of law: 3. An issue offered.—The affirmation, in part, is proved by the record, namely, that the specifications of President Jackson's supposed illegal and unconstitutional conduct, were all withdrawn; and the remainder of it, namely, that they were withdrawn because no majority, not even a party one, could be got to vote for them, can be proved by the Senators then and now present. The rule of law is too clear for argument. It is known to every apprentice to the law, that what is given up upon the face of the record, cannot be retained, as a part of the case, by any fiction of pleading, legal intent, constructive implication, mental reservation, or suppositions reintegration whatsoever. The issue is open and bold, that if the specifications can be saved by implication, they are insufficient to justify the condemnation; and to

the trial of this issue, we challenge and defy the whole power of the opposition.

V. My fifth proposition affirms the total impropriety, and the particular unconstitutionality of the Senate's proceeding against President Jackson. It is in these words:—

"And whereas the Senate being the constitutional tribunal for the trial of the President when charged by the House of Representatives with offences against the laws and the constitution, the adoption of the said resolution before any impeachment was preferred by the House, was a breach of the privileges of the House, a violation of the constitution, a subversion of justice, a prejudication of a question which might legally come before the Senate, and a disqualification of that body to perform its constitutional duty with fairness and impartiality, if the President should thereafter be regularly impeached by the House of Representatives for the same offence."

In this proposition, said Mr B., I take my stand upon the same ground which I took in the case of Mr Barry, in February, 1831, and in the case of President Jackson, in January, 1834. What I said in the case of Mr Barry, five years ago, has been read—what I said in the case of President Jackson, two years ago, will be read now. It is done for two purposes; first, to show that we stand upon the same ground now which we occupied then; and next, to let it be seen that the expunging process is no after thought with us—and that gentlemen are not allowed to take a distinction between expunging now and expunging then—their power alone and the exact moment for striking it had arrived on Friday, the 28th day of March. That was the day, for it was the last day it could be done in time to have its effect. Mr B. here read from the debate of February, 1834.

"Mr Benton said that the first of these resolutions contained impeachable matter, and was in fact, though not in form, a direct impeachment of the President.—He recited the constitutional provision that the President might be impeached, 1. for treason; 2. for bribery; 3. for other high crimes; 4. for misdemeanors; and said that the first resolution charged both a high crime and a misdemeanor; the crime, in violating the laws and constitution, in seizing upon illegal and ungranted power over the public Treasury, to the danger of the liberties of the people; the misdemeanor, in dissipating the late Secretary of the Treasury from office. Mr B. said that the terms of the resolution were sufficiently explicit to define a high crime within the meaning of the constitution, without having recourse to the arguments and declarations used by the mover of the resolution in illustration of his meaning; but if any doubt remained on that head, it would be removed by the whole tenor of the argument, and especially that part of it which compared the President's conduct to that of Caesar in seizing the public treasure in Rome, to aid him in putting an end to the liberties of his country; and every Senator, in voting upon it, would vote as directly upon the guilt or innocence of the President as if he was responding to the question of guilty or not guilty, in the concluding scene of a formal impeachment. We are then, said Mr B. trying an impeachment! But how? The constitution gives to the House of Representatives the sole power to originate impeachment—yet we originate this impeachment ourselves. The constitution gives the accused a right to be present—but he is not here. It requires the Senate to swear to be sworn as judges—but we are not so sworn. It requires the Chief Justice of the United States to preside when the President is tried; but the Chief Justice is not here presiding. It gives the House of Representatives a right to be present, and to manage the prosecution—but neither the House nor its managers attend this proceeding. It requires the forum of criminal justice to be strictly observed; yet all these forms are neglected, or violated. It is a proceeding without law, without justice, without precedent—in which the Chief Magistrate of the Republic is to be tried without being heard, and in which his accusers are to act as his judges."

This is what I said two years ago. I choose to refer to it as then said, and to repeat it now, first, to show that my present opinion of the conduct of the Senate were formed two years ago, and fully expressed then, and are not the creation of subsequent events and after thoughts; and, secondly, that the specifications there made were laid hold of, and expressly objected to, as showing the impeachment character of the resolutions; so that the proof is clear that they were withdrawn to avoid objections which could not be answered, and on which votes could not be taken. I thus show that the opinions expressed in this fifth proposition are as old as the commencement of the Senate's proceeding against the President; and what is, perhaps, more material, I have shown from the resolutions proposed in the Kentucky Legislature, in the case of Judge Innis, that they were expressed by others long before I had any occasion to form opinions upon such subjects. I will place my proposition by the side of that resolution, and leave it to any one to show a difference, except in the circumstance that makes the conduct of the Senate of the Kentucky General Assembly.

It was thus, Mr President, that I challenged the unconstitutionality of the Senate's proceeding on the moment of the first introduction of this fatal resolution. I did so from a thorough conviction of its total infringement of the

case. In England there is but one instance of the House of Commons having declared the King to have violated the privileges of Parliament, and that declaration was followed by civil war, and the eventual death of the King. It was the case of Charles the First, going in person to demand the arrest of the five members, Hampden, Phipps, Holles, Stow, and Hare. The House of Commons voted the demand to be a violation of their privileges, and that the violation of privilege was the overthrow of Parliament. Here are the words of the resolve: *That the violating the privileges of Parliament, is the overthrow of Parliament*: and acted accordingly, in the civil war immediately began, and ended, as every body knows, in the death of the king. After voting that President Jackson had violated their privileges, why not follow up the vote to do something in vindication of those privileges? Why not follow out the judgment? If true, it ought to be enforced; if not true, it ought not to have been pronounced. Was it sufficient that the Virginia elections were impending, and that effect there would satisfy justice here? This was twice in the same session, that the President was pronounced guilty of criminal offences, and twice permitted to go unpunished, by the gratuitous clemency of his judges. Yes, sir! gratuitous clemency; pardon, without petition for mercy,—for the man who does not "stain the honor of his country by making an apology for speaking truth in the performance of duty," does not compromise the dignity of his species, by impetrating pardons from judges who condemn without hearing, and reject, as insult, a protestation of innocence!

[TO BE CONTINUED.]

## BOSTON MORNING POST.

MONDAY, APRIL 4, 1836.

**NOTICE.**—The County Committee chosen at the Meeting of Democratic Republicans, holden at the Old Court House, on the 14th ult., will meet at Concert Hall, THIS EVENING, 4th instant, at 7 o'clock, for the purpose of organization.

By Order of the Meeting. PETER DUNBAR.

April 4th.

We shall complete, to-morrow or the next day, the publication of Mr. Benton's Speech—we hope no one has been prevented, by its great length, from giving it an attentive reading.

**A project** is now on foot to persuade the Legislature to issue a stock of five millions at 4 per cent, and loan it to the banks at 5 per cent., as so much capital, on which the banks are to pay the State 1 per cent. tax; by which means it is said the State will gain one hundred thousand dollars per annum. The pretense is that more capital is needed. It is true that more capital, much more capital is needed, and greatly needed by a few persons who have over traded, and who are now cut off from Mr. Biddle's Bank—and better credit is the means by which they hope to raise this capital. But we should think it very unwise for the State to stand their endorsers, which in plain English is the meaning of raising more capital on the State script.

If the State desire to turn stock broker, these greedy men will pay a much higher price than here named—they pay it dailily to smaller stock brokers.

But whatever sum the State may make on an operation of this kind it should be remembered is made out of themselves. It comes from the earnings of the citizens, who are the Commonwealth. It should be remembered, also, that we have thus far from 1820 to the present time, got along pretty well by our own means, and from the small wigwams of Plymouth, as a beginning, have created the whole mass of wealth—and of improvements, which are wealth—which beautifies the face of New England. The population which has performed this labor, was never as numerous as our present numbers. Creating credit, creates no capital—the trouble now arises from too much credit. The whole pith of this business is that these people are willing to pay two per cent. to the State for endorsing their credit, but this two per cent, they intend the public shall pay.

**The Next Election.**—We see no reason why we should not be perfectly frank with the whigs, and tell them what we intend to do at the next election, after assuring them, once for all, that the arrangements for the fulfilment of our expectations are all made, and that on no account whatever can the performances be changed. In the first place, then, we shall elect the Van Buren electoral ticket; we shall then make Judge Morton, Governor, and Mr. Foster, Lieutenant Governor, of the good old Commonwealth of Massachusetts; and, in order that their acts may not be fettered by a preponderance of federal power in the Legislature, we shall elect a large majority of democrats to the House, and at least twenty-two democratic Senators. But this is not all—we shall elect several democratic members of Congress—(we have not yet, however, decided on the exact number.) In order to bring about these results it is, true that we have got to work like beavers—but that point may as well be regarded as settled, inasmuch as we have all made up our minds to take hold of the matter in good earnest, and finish up the business at one job. As to the whigs, they may die game, if they please,—but as die they must, it is no more than fair to give them a chance of arranging the preliminaries and of getting shaved and shirked for the occasion.

**The U. S. Sloop of War St Louis,** Capt Rousseau, with Commodore Dallas on board, arrived off the Bar of S. W. Pass at New Orleans on the 15th ult. with the intention of proceeding to the city, but owing to the low stage of the water on the Bar was unable to get in; she then proceeded on a cruise to the westward. The sloop of war Warren sailed from Pensacola on the 14th ult. bound on a cruise along the coast of Florida and Key West.

The Grand Jury of Washington have found a true bill against Dr. White, arrested for firing the Treasury in 1833—had a delay of twelve hours occurred, he would have escaped by the statute of limitations. His wife has been set at liberty. The principal agent in making the arrests is a noted forger and counterfeiter.

**Mr Conrad,** the member of the Pennsylvania House of Representatives from Schuykill county, who was reprimanded by order of the House, for the part he took in the bribery case, has commenced suits against the Speaker and Sergeant at Arms for false imprisonment. He has also resigned his seat in the House.

**Mr Solon Jenkins** has sent us a communication, in which he certifies, very decidedly, to the great benefit derived by the poor from the gratuitous services of Mr Williams, the Oculist. Mr Jenkins' opinions were formed from personal knowledge and examination.

**The Jewess.**—The public have long been "holding back" for this piece, and to-night they will have an opportunity of realising their highest anticipations. Even the Posters announcing its representation, are printed with an unusual degree of taste and elegance; John is walking up.

**Mr Buckley,** one of the most deserving and popular actors at the Lion, takes a benefit this evening. His deserts are great, and his reward, no doubt, will be equal to them.

The Hudson River is open to West Point. It was open to Hudson on the 17th of March, last year.

**The Speaker.**—I agree with you, Mr. Editor, that the course pursued by the Speaker of the House, in delaying to declare the vote, as stated in the Post, is alarming and unwarrantable. If, after calling the roll, and all the members in the House have answered, time is allowed to send all over Boston for members to come in, this is a very unfair advantage granted to this city, or rather to the whigs. If a delay be given for the benefit of Boston, why not extend it a few minutes further for the benefit of Roxbury, Cambridge, Brighton? and if to these, why not for two or three hours that Salem may avail itself of the privilege? In short, why not keep the vote open for any indefinite time, till members can be sent for from every part of the State? The power and influence of the great chartered "monsters" are so palpable, that the people must awake before they are overpowered,—before they are bound and shorn, and deprived of all power of resistance.

## TOCSIN.

**The Washington Correspondent** of the New York Herald, says—

"They keys by which the Treasury building was entered by the incendiaries, were discovered to have been made in Providence, R. I. The whole plot is of northern origin. No one in this city is now suspected of being concerned in it. Dr. White, who applied the torch, arrived at Numsville, twelve miles from this city, before the fire was discovered here, and he slept at the tavern there. When high constable Blaney arrested him, he asked for what he was arrested; Blaney replied, for arson. Oh, said the Doctor, I can prove that I was twelve miles off! I know that, said Blaney, you slept at Numsville."

The Texans solemnly proclaimed themselves a free, sovereign and independent people, on the 2d of March, by their delegates assembled at Washington (Texas).

A young woman, who called herself Catharine Melia, threw herself from the foot of Chambers street, N. York, into the river, on Friday—she was rescued by a watchman.

The five story store, No. 295 Water street, New York, and the stock therein, sustained two or three thousand dollars damage from fire on Friday evening.

**The "Printer"** of the Haverhill Gazette is crying after a "great gob" (his own words) of maple sugar—the editor is sucking a stick of molasses candy at Washington.

The County Commissioners for Norfolk County have refused to grant any licenses for the sale of ardent spirits, either to taverns or retailers.

The Connecticut election takes place this day—the Democrats will carry it by an increased majority from last year.

The editors of the Journal of Commerce will oblige us by forwarding their paper by Steam Boat Mail, for the future.

The Hon. ELIAS GLENN has resigned his office of District Judge of the United States for Maryland District.

**The Steam Boat Mail**—brought by the new boat Massachusetts—arrived in town before eleven o'clock yesterday morning.

Gen. Stephen F. Austin, Wm. H. Wharton, Esq., and Dr. B. F. Archer, Commissioners from Texas, have arrived at Barnum's Hotel, Baltimore.

The U. S. ship John Adams, Capt. Stringham, was at Tenerife Feb. 10, all well.

The Salem Gazette has commenced drumming up for Mr Phillips's re-election to Congress.

The Editor of the Gazette does n't know when he has been so much gratified as he is just about this time.

**From Florida.**—The Tallahassee Floridian of the 19th, publishes extracts from two letters, written by Col. Gadsden and Major McLemore, at Fort Drane, dated March 13, which, though containing no later news, are not without interest.

The writers place little reliance on the pacific nature of Osceola, and consider it only a ruse to gain time and information. Gen Scott has been much crippled in his operations, for want of provisions and means of transportation, but will be prepared, in a few days, to act with vigor. Col Lindsay has been ordered to remain at Tampa, but will probably arrive at Camp King, before he gets the order. An express has been despatched from St Marks, for Tampa, to give notice of the bill introduced to distribute the net proceeds arising from the sale thereof—ordered to be printed.

In the House of Representatives, Mr. Drongoo, from the Select Committee, to whom had been referred that portion of the President's Annual Message which related to the election of President and Vice President, reported a joint resolution on that subject—but before it was disposed of, the consideration of the Naval Appropriation Bill was resumed—more speech made—the committee rose, without making any progress, and the House adjourned.

**Thursday, March 31.**—In the Senate, Mr. Morris presented the preamble and resolutions of the Ohio Legislature, instructing their Senators to vote for the expunging resolution—read, ordered to be printed, and laid on the table. Mr. Link presented similar resolutions adopted by the General Assembly of Missouri, also stating that they approved of the bill introduced for the purpose of graduating and reducing the price of the public lands; and disapproved of the bill introduced to distribute the net proceeds arising from the sale thereof—ordered to be printed.

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**Friday, April 1.**—In the Senate, Mr. Morris presented the preamble and resolutions of the Ohio Legislature, instructing their Senators to vote for the expunging resolution—read, ordered to be printed, and laid on the table. Mr. Link presented similar resolutions adopted by the General Assembly of Missouri, also stating that they approved of the bill introduced for the purpose of graduating and reducing the price of the public lands; and disapproved of the bill introduced to distribute the net proceeds arising from the sale thereof—ordered to be printed.

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**Saturday, April 2.**—In the Senate, Mr. Morris presented the preamble and resolutions of the Ohio Legislature, instructing their Senators to vote for the expunging resolution—read, ordered to be printed, and laid on the table. Mr. Link presented similar resolutions adopted by the General Assembly of Missouri, also stating that they approved of the bill introduced for the purpose of graduating and reducing the price of the public lands; and disapproved of the bill introduced to distribute the net proceeds arising from the sale thereof—ordered to be printed.

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**Sir John Herschel and the Moon Hoax.**—The Daily Advertiser publishes the following copy of a letter of thanks from the celebrated Astronomer, now engaged in surveying the Heavens at the Cape of Good Hope:—

"To Captain Caldwell, of the American ship Levant, Table Bay:

VELDAHUS, near Weymouth, Jan 5. 1836.

Sir John Herschel presents his compliments to Captain Caldwell, and begs to thank him for his communication of the extraordinary and most elaborate hoax in the N. York Journal of Commerce for Sept. 2, 1835, which he (Sir J. H.) will be glad to suffer to retain, partly as a curiosity, and partly as a perpetual reminder how trivial are the discoveries which all our boasted science has yet realized, or likely to reveal for ages to come, in comparison of what exists unknown and unsuspected among the realities of nature—even those nearest at hand, and possibly not quite beyond our ultimate reach.

Sir J. H. will be happy (if Capt. Caldwell's stay at the Cape will permit,) to satisfy him by ocular inspection, of how very humble a scale his astronomical operations here are conducted.

**Too bad.**—Yesterday morning as Mr Cohen, a very respectable citizen was passing through Walker street, he happened to step on the vault grate of No. 51, which is, that Gen. Eastis with 1700 men was expected to be at Palakelaka, on the road from Tampa Bay for Fort King, by the 25th, and Col Lindsay, at Chicachay, nearer Tampa, with 800. These combined forces coming up from the South on the rear of the Indians, would form a junction on the 28th of March at Whitnacoote with General Clinch's force consisting of 1800 men, under the immediate command of Gen. Scott, who were to have rendezvoused on the battle ground for that purpose March 25th. We have from the *unquestionable authority*, assurances that the war under Gen Scott will be prosecuted with the utmost vigor, and that he places no reliance on the Seminole professions of peace.—N. Y. Com.

The Richmond Enquirer has received information from Fort Drane up to March 16th, the purport of which is, that Gen. Eastis with 1700 men was expected to be at Palakelaka, on the road from Tampa Bay for Fort King, by the 25th, and Col Lindsay, at Chicachay, nearer Tampa, with 800. These combined forces coming up from the South on the rear of the Indians, would form a junction on the 28th of March at Whitnacoote with General Clinch's force consisting of 1800 men, under the immediate command of Gen. Scott, who were to have rendezvoused on the battle ground for that purpose March 25th. We have from the *unquestionable authority*, assurances that the war under Gen Scott will be prosecuted with the utmost vigor, and that he places no reliance on the Seminole professions of peace.—N. Y. Star.

**Domestic Tyranny Punished.**—It will be recollect that we mentioned during the past winter the verdict of a coroner's jury on the occasion of the death of a little colored girl belonging to a Mr. Folly, a respectable farmer near Patson, in consequence of the severe treatment and violence of her mistress, Mrs. Folly. The unfortunate woman was brought before the Bergen county court at Hackensack last week, and pleaded guilty to an indictment by the Grand Jury, and solicited the mercy of the court.—Judge Ford, of the Supreme Court presiding. After due consideration of the circumstances, the court sentenced her to three years imprisonment at hard labor in the State Prison. The announcement of the sentence had its full natural effects upon the sensibilities of the prisoner, and her shrieks penetrated every heart as she was carried from the court room. The whole scene was deeply affecting. The appearance of the prisoner, a well dressed, respectable young woman, of good connexions, surrounded by her husband and family friends, in the act of being torn from society, and doomed to an ignominious companionship with the vilest felons, for the indulgence of an ungoverned temper, could hardly fail to excite the sympathies of spectators—while at the same time it affords a wholesome exhibition of the stern and righteous impartiality of public justice. The colored boy who aided in the above transaction, in obedience to the commands of his mistress, was sentenced to two years imprisonment.—*Tray Budget.*

**Slander Suit.**—A slander suit of an aggravated nature came up for trial before the Circuit Court last Wednesday. The parties were Levena Kennedy vs. Betsy Gilford, both of whom we believe reside in the town of Schaghticoke in this county. The charge was in substance that the plaintiff had been guilty of the crime against nature, the details of which are too disgusting for public print.—The trial lasted the whole day, and the jury were out nearly all night, and the next morning returned a sealed verdict in favor of the plaintiff for \$500 damages.—*Tray Budget.*

**Explosion of the Powder Magazine at Santa Marta.**—While the Gallant Mary, Capt. Wambersie, was lying at Santa Marta, on the 5th March, this melancholy event took place, attended with the loss of several lives.

The Gallant Mary at the time was laying out two cables length from the magazine—the explosion fortunately took a different direction, or it might have proved much more serious. The shock was felt very sensibly on board. This is the second explosion which has taken place within a short time occasioned altogether by carelessness.—*Balt. Patriot.*

**A certificate**—signed by nine practical engineers—is published in the Mobile Register, stating that the accident which occurred to the steam boat Ben Franklin was not the result of a deficiency of water in the boiler, but was caused by some imprudent person having placed an obstacle in the way to prevent the safety valve from being raised to its usual height, to give full vent for blowing off steam.

A man named John Tighe was arrested and committed yesterday, at the Police Office, for the unmentionable crime of sprinkling water from the third tier over the pit audience of the lively little Franklin. A fellow looking up caught a mouthful and said—"d—t—this here's no git after all!"—N. Y. Herald.

**The Jewess.**—The public have long been "holding back" for this piece, and to-night they will have an opportunity of realising their highest anticipations. Even the Posters announcing its representation, are printed with an unusual degree of taste and elegance; John is walking up.

**Mr Buckley,** one of the most deserving and popular actors at the Lion, takes a benefit this evening. His deserts are great, and his reward, no doubt, will be equal to them.

The Hudson River is open to West Point. It was open to Hudson on the 17th of March, last year.

## MASSACHUSETTS LEGISLATURE.

**Saturday April 2.**—In the Senate.—The Senate went into Committee of the Whole, in consideration of the bill to aid the Western Rail Road Corporation. After a few remarks by Messrs Cushing, of Norfolk, Allen, Whitmarsh, and Lawrence, the question on passing the bill to a third reading was taken by yeas and nays, as follows:—

Yea—Messrs Allen, Bacon, Blake, Chapin, Fairbanks, Flint, Gray, Gurney, Hastings, Kittredge, Lawrence, Lunt, Parker, Parmenter, Pope, Sage, Sprague, Sturgis, Turner, Ward, Webb, B. P. Williams—22.

Nays—Misses Child, Cushing, Fitch, Handy, Marion, Whitmarsh, H. Williams—7.

It was then ordered that Monday next, at 11 o'clock, be especially assigned for the further consideration of this subject.

**Banks.**—Messrs Lawrence and Fairbanks were appointed a committee to be joined by the House, to examine into the doings of the several Banks of this Commonwealth, according to the provisions of the 36th chapter of the revised statutes, passed Nov. 4th, 1835, with authority to enter any Bank at any time, and to have access to its books and vaults, and to examine on oath the officers thereof, as to the doings of the Bank, and to report a statement of facts at the next legislature, together with such suggestions and opinions as they may deem expedient.

It was ordered, on motion of Mr Williams, that the committee on Banks inquire into the expediency of passing a law, subjecting the President and Directors of the several Banks to a penalty for every violation of the laws, relating to Banks and Banking, to which they may give their individual assent.

In the House, Mr. Foster, from the committee to whom was recommended the bill to establish the Hancock Free Bridge, reported the same with amendments, which were adopted, and the bill passed to be engrossed.

They proceeded to the consideration of the bill relating to certain courts in Middlesex, which was read a second time. Messrs Austin, Sheafe, and Mann, of Lowell, spoke in favor of the bill, which then passed to a third reading.—*Merc.*

## CONGRESS.

The bill for the admission of Michigan into the Union, was again under discussion in the Senate, on Wednesday, the 30th ult. Messrs Tipton and Ewing opposed Colonel Benton's proposition, for admitting the state under its present constitution; and leaving it to the present State Legislature, so called, of Michigan, to sanction the adjustment which he (Benton) has prescribed, of the boundary question, &c. Colonel Benton made a very eloquent speech in favor of his proposal. He was supported by Messrs Niles and Buchanan. In the course of the debate, Mr Wright proposed an amendment requiring the ratification of the condition by convention, instead of by the Legislature.

## FOR CALCUTTA DIRECT, TO RETURN TO NEW YORK.

The second new sailing copper fastened and coppered ship WILLIAM GODDARD, 536 tons burthen, will sail for Calcutta on or before the first of June next. For passage out, having handsome accommodations, or investment of funds home, apply to WM W. GODDARD, or J. C. ROGERS, Supercargo, No 44 Central wharf; NATH. GODDARD, JR., or BENJ. GODDARD, No 24 Union wharf, Boston—Messrs DAVIS & BROOKS, New York.

**FOR NEW ORLEANS.—PACKET LINE.**

The superior fast sailing coppered ship MEDORA, E. Pike, Master, is loading at Commercial wharf, having her freight engaged, will sail on Thursday next, and take steam at the Balize—for freight, which will be taken low, apply to S. R. ALLEN, 110 Milk st., 54

**FOR NEW ORLEANS.—ON Wednesday.**

The superior fast sailing coppered ship A. A. Ship CORAL, Capt. USP, Sampson, master, is now loading, and will sail for New Orleans for freight, which will be taken low, apply to S. R. ALLEN, 110 Milk st., 54

**FOR A PORT IN THE MEDITERRANEAN.**

The copper fastened and coppered brig MONROE, AL, Capt. Triffeth, will take freight to a port in the Mediterranean, at very reasonable rates, or application to DANIEL DESHON, 6 Long wharf.

**FOR NEW ORLEANS.—PACKET LINE.**

The fast sailing coppered ship ANN, A. Hill, master, is loading at India wharf, having most of her freight engaged, and on board, will sail on Thursday next, and take steam at the Balize. For freight, which will be taken low, or passage, apply to S. R. ALLEN, 110 Milk st., 54

**FOR MOBILE.**

The fast sailing copperfastened barque E. M., Joseph Miller, master, is loading at India wharf, and have immediate despatch—for freight apply to S. R. ALLEN, 110 Milk st., 54

**FOR SALE.**

A first rate copper fastened and coppered Brig—230 tons—built of white oak—sails fast, and is well found in every respect. For terms, apply to S. R. ALLEN, 110 Milk st., 54

**FOR SALE.**

An Estate on Ann street Court, comprising a dwelling 2 1/2 and bake house, now occupied by Mr Edward Tittle, and a new two story wooden dwelling in the rear—also, a lot of land opposite the bake house, containing about 1000 square feet. There are two wells of water on the premises. The above mentioned house and bake house if not sold previous, will be let to July coming.

Also to let, on a lease of 5 years, a lot of land on Blackstone street—apply to DANIEL E. POWARS, No 10 Gouche st., m25

**VALUABLE REAL ESTATE FOR SALE.**

The subscriber offers for sale the well known Cowell estate, situated on Milk and Hawley streets,

containing nearly thirty eight thousand square feet.

For particulars, apply to THOS. C. AMORY, Jr 4 Court st., isth

123

**FOR SALE.**

A very superior New Brick House, on Beacon st.,

having every convenience desirable for a genteel residence. Apply to CHARLES WADE Merchants Row, under the Oriental Bank.

44

**TO LET.**

The Room in the Building, No 19 Water street, recently occupied as the Recorder Office—Also a large front Chamber over the same. For terms, apply to the Merchant's Insurance Office, No 38 State street, Stawell's wharf

44

**TO BE LET.**

A very convenient brick House, nearly new. Rent reasonable, in an excellent neighborhood, best winter in the city, and central. Inquire of LEADER DAM, No 42 Hanover street.

44

**DISSOLUTION OF COPARTNERSHIP.**

The Copartnership heretofore existing under the firm of John D. Gardner & Co, is dissolved, this day, by mutual consent.

The unsettled business of the House will be adjusted by either of the partners.

JOHN D. GARDNER,  
JOSEPH B. GARDNER.

Portland, April 1, 1836.

**JOSEPH B. GARDNER**, successor to the late firm of John D. Gardner & Co, will continue to transact business at No 5 Central row, in Portland, and solicits a continuance of the business of the late firm. He offers his services to the public, with facilities to make the usual advances on consignments.

Portland, April 1, 1836.

**COPARTNERSHIP NOTICE.**

The subscribers have this day formed a copartnership, and taken store No 5 Central wharf, Boston, for the purpose of transacting Commission Business, under the firm of JOHN D. GARDNER & CO.

with facilities to make the usual advances on consignments.

We offer our services to our friends and the public.

JOHN D. GARDNER,  
BENJ. P. CHAMBERLAIN.

Boston, April 1, 1836.

**WINE.—Entitled to Debenture.**

15 Half-pipes Gold Sherry,  
quarter pipes do.  
10 quarter pipes do.  
15 half-pipes brown do.  
10 quarter pipes do do.

Just received at No 5 Central wharf, for sale by JOHN D. GARDNER & CO.

Boston, April 1, 1836.

44

**INDIA RUBBER FANCY APRONS**, for Ladies, Misses and Children—Just received from the Roxbury Factory, 20½ lbs. of the above article, of superior quality. Purchasers are invited to view and examine them, as there are many important articles in the market.

The Company are largely in the manufacture of the highly approved MACHINE BELTS.

Consequently, as usual, all kinds of RUBBER GOODS, by MARINER, TEBBETS & CO, 102, State street, Boston, except—lawns 44

**BRONZE AND CUT GLASS DOOR PLATES** and NUMBERS, turn-hed to order by the Boston Bronze Company, No 28 Washington street, up stairs, and warranted to be equal to any manufactured in the city, and in full now prices. The 15. Company will receive orders for Plain, Ornamented and Embossed articles in Bronze, and warrant them equal to the imported article. E. H. CHURILL, Agent.

**NOVELS NEW AND CHEAP.**—Pacha of many Tales, 62 cts.—Japhet in search of his Father (best edition) 50 cts.—The Three Cutters, 50 cts.—Cruise of the Middle, 62 cts.—Peter Simpley, by Marryatt, 50 cts.—odore, by Mr. Shelly, 50 cts.—Anne Gray, 50 cts.—Richard of York, 50 cts.—Blenzi, 62 cts.—Club Book, 62 cts.—Gipsy, by James, 62 cts.—one in a Thousand, 62 cts.

44

1018, B. HODGE & CO, 147 Washington street.

**NOTICE.**—Information is wanted by the Subscribers, of one JEREMY D. ALLEN ET ALTON, who sailed from this port on the 19 of November, on board and in charge of the cargo of the schooner Thetis of Portland. A. Padlock, Master, bound to Nassau, N. P., and a market, and who left said schooner on the 1st of February last, to come to Boston by land, with all the accounts and proceeds of the cargo of said schooner, but has not since been heard from. G. C. & J. M. THOMSON, No 44 Central Wharf. Iwls 44

**TORTOISE SHELL.**—60 lbs Tortoise Shell, for sale by DANIEL DESHON, 6 Long Wharf.

44

1ST of Letters remaining in the Post Office at CAMDEN B. HODGE & CO, April 1, 1836.

A. Johnson

Lubion James

Hancock Moes

Brown John

Brown E. miss

Brown John J

Carpenter Paschal 2

Cowles Luther 2

Crosby Mr

Chamberlain J

Cross St. Phenix S

Davis Edward R

Davis John

Davis Poole

Douglas R. & R

Ebsworth Thomas G

Edon Wm J

Frost Fanny M

Full John

Finn J. Clark S

Frost Lovell

Grenier Joseph

Gordon J

Graves Ch V

Green Roxana P

Goughine Phineas W

Goss E S

Hemenway Beulah

Howard Catherine

Hastings & Anna

Herbert Mary

Jones Harriet

John-on Mary

Kimball Sarah

Kiser David

Lane Maria

JOHN P. TARRELL, P. M.

44

**WARREN THEATRE.**

THIS EVENING April 4,

The Performances will commence with

**GRAND STAR AND WALTZ ENTREE!**

Equestrian Director

Clown

Horsemanship

by

Mr. Fuller

Huntington

44

**FOR NEW ORLEANS.—PACKET LINE.**

The superior fast sailing coppered ship MEDORA,

E. Pike, Master, is loading at Commercial wharf,

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